



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,884	03/30/2001	Geetha Ravishankar	95-461	4452
23164 7590 06/08/2007 LEON R TURKEVICH 2000 M STREET NW 7TH FLOOR WASHINGTON, DC 200363307			EXAMINER LESNIEWSKI, VICTOR D	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 06/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/820,884
Filing Date: March 30, 2001
Appellant(s): RAVISHANKAR ET AL.

MAILED

JUN 08 2007

Technology Center 2100

Leon R. Turkevich, Reg. No. 34035
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/19/2007 appealing from the Office action mailed 7/18/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,631,181	BATES ET AL.	10-2003
6,545,589	FULLER ET AL.	4-2003
6,504,915	KRUESI ET AL.	1-2003
6,230,190	EDMONDS ET AL.	5-2001
6,769,027	GEBHARDT ET AL.	7-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 11, 12, 18, 19, 29, 30, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (U.S. Patent Number 6,631,181), hereinafter referred to as Bates, in view of Fuller et al. (U.S. Patent Number 6,545,589), hereinafter referred to as Fuller, further in view of Kruesi et al. (U.S. Patent Number 6,504,915), hereinafter referred to as Kruesi.

Bates disclosed a messaging system wherein a particular greeting announcement of multiple possible announcements is played to the caller. In an analogous art, Fuller disclosed a method for managing a call between a caller and an end user in a telecommunications network. Also, in an analogous art, Kruesi disclosed a distributed messaging system where multiple messaging platforms have access to multiple voice files. All three systems deal with the handling of telecommunications calls.

Concerning claims 1, 12, 19, and 30, Bates did not explicitly disclose retrieving an audible subscriber identifier. Although Bates states the ability of his system to retrieve a default greeting message and play this message when a first particular greeting is unavailable, he is not explicit about the specific makeup of the default message. However, Fuller states the use of a well-known type of standard or default greeting that includes retrieving an audible subscriber identifier to play with the default greeting. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Bates by adding the ability to retrieve an audible subscriber identifier as provided by Fuller. Here the combination satisfies the need for a messaging system that automatically plays a particular preprogrammed greeting message to a particular caller. See Bates, column 2, lines 18-26. This rationale also applies to those dependent claims utilizing the same combination.

Further concerning claims 1, 12, 19, and 30, the combination of Bates and Fuller did not explicitly disclose determining an inaccessibility of the subscriber announcement. However, determining an inaccessibility of data stored on a network server is well known in the art. In a telecommunications environment, this is evidenced by Kruesi whose system determines an inaccessibility of a voice file at a certain node, in which case an alternate node is used to access a

file. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Bates and Fuller by adding the ability to determine an inaccessibility of the subscriber announcement as provided by Kruesi. Here the combination satisfies the need for improved file availability in a messaging system. See Kruesi, column 3, lines 1-11. This rationale also applies to those dependent claims utilizing the same combination.

Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a server apparatus or a computer readable medium are rejected under the same rationale applied to the described claim.

Thereby, the combination of Bates, Fuller, and Kruesi discloses:

- <Claims 1, 12, 19, and 30>

A method in a server configured for initiating a messaging session for an incoming call by accessing subscriber profile information from a directory server, the method comprising: attempting retrieval of a subscriber announcement for the messaging session (Bates, column 7, lines 8-12) from a messaging server (Bates, figure 1, item 10) based on the subscriber profile information (Bates, figure 1, item 24), the subscriber announcement stored in the messaging server as a first data file having a first size (Bates, figure 1, "greetings" A1-A10 and column 4, table 1); determining an inaccessibility of the subscriber announcement for the messaging session from the messaging server (Bates, column 7, lines 13-16 and Kruesi, figure 5B and column 9, line 52 through column 10, line 6); retrieving from the directory server an audible subscriber identifier, stored in the directory server as a second data file having a second size substantially smaller than the first size, based on the determined inaccessibility of the subscriber announcement (Fuller,

column 25, line 63 through column 26, line 2, where the “drop-in name” is substantially smaller than the greetings of Bates, table 1); and playing for the messaging session an alternate subscriber announcement including the audible subscriber identifier (Bates, column 7, lines 16-18).

- <Claims 11, 18, 29, and 40>

The method of claim 1, further comprising storing in the directory server the audible subscriber identifier, at a location associated with the corresponding subscriber profile information, prior to the retrieving step (Bates, column 7, lines 16-18 and Fuller, column 25, lines 63-65).

- <Claims 41 and 43>

The method of claim 1, wherein each of the attempting retrieval, determining the inaccessibility of the subscriber announcement, retrieving the audible subscriber identifier, and playing the alternate subscriber announcement are performed by the server (Bates, figure 1, item 40).

- <Claim 42>

The server of claim 12, wherein the subscriber announcement is stored in the messaging server, the messaging application configured for playing the alternate subscriber announcement based on the determined inaccessibility of the subscriber announcement from within the messaging server (Bates, figure 1, item 10).

Since the combination of Bates, Fuller, and Kruesi discloses all of the above limitations, claims 1, 11, 12, 18, 19, 29, 30, and 40-43 are rejected.

Claims 2-6, 8, 13-16, 20, 21, 23, 24, 26, 31, 34, 35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Fuller further in view of Kruesi, as applied above, further in view of Edmonds et al. (U.S. Patent Number 6,230,190), hereinafter referred to as Edmonds.

The combination of Bates, Fuller, and Kruesi disclosed a messaging system wherein a particular greeting announcement of multiple possible announcements is played to the caller, including the possibility of playing a default greeting with a pre-recorded name dropped in. In an analogous art, Edmonds disclosed a telephony process that supports unified messaging. Both systems deal with the routing of telecommunications calls.

Concerning claims 2-4, 13-15, 20, 21, and 31, the combination of Bates, Fuller, and Kruesi did not explicitly disclose the use of Internet Message Access Protocol. However, Edmonds states the use of an IMAP server that supports unified mailboxes to the web. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Bates, Fuller, and Kruesi by adding the ability to access the messaging server according to Internet Message Access Protocol as provided by Edmonds. Here the combination satisfies the need for a messaging system that automatically plays a particular preprogrammed greeting message to a particular caller. See Bates, column 2, lines 18-26.

Concerning claims 5, 6, 8, 16, 23, 24, 26, 34, 35, and 37, the combination of Bates, Fuller, and Kruesi did not explicitly disclose the use of Lightweight Directory Access Protocol. However, Edmonds states the use of LDAP to allow a messaging server to access directory services on the Internet. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Bates, Fuller, and Kruesi by adding the

Art Unit: 2152

ability to retrieve an audible subscriber identifier from a directory server according to Lightweight Directory Access Protocol as provided by Edmonds. Again the combination satisfies the need for a messaging system that automatically plays a particular preprogrammed greeting message to a particular caller. See Bates, column 2, lines 18-26.

Thereby, the combination of Bates, Fuller, Kruesi, and Edmonds discloses:

- <Claims 2, 13, 20, and 31>

The method of claim 1, wherein the attempting retrieval step includes attempting access to the messaging server according to Internet Message Access Protocol (IMAP) (Edmonds, column 8, lines 24-41).

- <Claims 3, 14, and 21>

The method of claim 2, wherein the attempting access step includes attempting a login procedure with the messaging server according to IMAP (Bates, column 3, lines 55-57 and Edmonds, column 8, lines 24-41).

- <Claims 4 and 15>

The method of claim 3, wherein the determining step includes determining a failure of the login procedure (Bates, column 5, lines 26-32).

- <Claims 5, 23, and 34>

The method of claim 2, wherein the retrieving step includes retrieving the audible subscriber identifier from the directory server according to Lightweight Directory Access Protocol (LDAP) (Edmonds, column 9, line 66 through column 10, line 15).

- <Claims 6, 24, and 35>

The method of claim 5, wherein the audible subscriber identifier corresponds to a spoken name of the subscriber, the playing step including playing a generic announcement and the audible subscriber identifier as the alternate subscriber announcement (Fuller, column 25, line 63 through column 26, line 2).

- <Claims 8, 16, 26, and 37>

The method of claim 1, wherein the retrieving step includes retrieving the audible subscriber identifier from the directory server according to Lightweight Directory Access Protocol (LDAP) (Edmonds, column 9, line 66 through column 10, line 15).

Since the combination of Bates, Fuller, Kruesi, and Edmonds discloses all of the above limitations, claims 2-6, 8, 13-16, 20, 21, 23, 24, 26, 31, 34, 35, and 37 are rejected.

Claims 7, 25, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bates, Fuller, Kruesi, and Edmonds, as applied above, in view of Official Notice.

The combination discloses:

- <Claims 7, 25, and 36>

The method of claim 5, wherein the second data file is a .wav file (Official Notice).

The use of WAV files for storing audio was well known in the art at the time of the applicant's invention. Therefore, Official Notice is taken.

Since the combination of Bates, Fuller, Kruesi, Edmonds, and Official Notice discloses all of the above limitations, claims 7, 25, and 36 are rejected.

Claims 9, 10, 17, 27, 28, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Fuller further in view of Kruesi, as applied above, further in view of Gebhardt et al. (U.S. Patent Number 6,769,027), hereinafter referred to as Gebhardt.

The combination of Bates, Fuller, and Kruesi disclosed a messaging system wherein a particular greeting announcement of multiple possible announcements is played to the caller, including the possibility of playing a default greeting with a pre-recorded name dropped in. In an analogous art, Gebhardt disclosed a system for controlling the states of queues in relation to a message server. Both systems deal with the routing of messages in a communications system.

Concerning claims 9, 10, 17, 27, 28, 38, and 39, the combination of Bates, Fuller, and Kruesi did not explicitly disclose storing a message in a delivery queue. However, Gebhardt focuses on controlling message queues between a message server and a database. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Bates, Fuller, and Kruesi by adding the ability to store a message in a delivery queue as provided by Gebhardt. Here the combination satisfies the need for a messaging system that automatically plays a particular preprogrammed greeting message to a particular caller. See Bates, column 2, lines 18-26.

Thereby, the combination of Bates, Fuller, Kruesi, and Gebhardt discloses:

- <Claims 9, 27, and 38>

The method of claim 1, further comprising: recording a message during the messaging session (Bates, column 7, lines 20-23); and storing the message in a delivery queue for delivery to the messaging server (Gebhardt, column 6, lines 14-19).

- <Claims 10, 17, 28, and 39>

The method of claim 9, further comprising periodically attempting delivery of the message stored in the delivery queue to the messaging server until one of a delivery acknowledgment is received, and a timeout error occurs (Gebhardt, column 6, lines 25-31).

Since the combination of Bates, Fuller, Kruesi, and Gebhardt discloses all of the above limitations, claims 9, 10, 17, 27, 28, 38, and 39 are rejected.

(10) Response to Argument

In the brief, the appellant has argued:

- <Argument 1>

The combination of Bates, Fuller, and Kruesi does not disclose the features of independent claim 1 and like independent claims because it does not disclose “determining an inaccessibility of the subscriber announcement for the messaging session from the messaging server” as recited in claim 1.

In response to argument 1 (set forth on pages 10-17 of the brief under heading “A1”), the combination of Bates, Fuller, and Kruesi does disclose determining an inaccessibility of the subscriber announcement as recited in claim 1. The previous line citation to Bates, column 7, lines 13-16, clearly states a determination of whether a pre-recorded greeting (i.e. subscriber announcement) is available for the caller. The previous line citation to Kruesi, figure 5B and column 9, line 52 through column 10, line 6, shows a similar determination for retrieving a voice

file, but instead of determining whether the file is available, there is a determination whether the file is accessible from a certain node.

Concerning the appellant's remarks on pages 11-12 that Bates does not disclose a server attempting access from a separate messaging server, it is noted that the rejection of claim 1 is based on a combination of references. In Bates' system it is clear that a server or other such network device in the switching system (Bates, figure 1, item 40) attempts retrieval from a messaging server (Bates, figure 1, item 10). See also Bates, column 4, lines 1-11, which states that "switching system 40 may be part of a telecommunication network 46 that may include other telecommunication terminals, other switching systems, and other messaging systems." Further, Fuller's system utilizes multiple facilities in his telephone control system which all communicate and share information with each other in order to complete the appropriate call processing. See Fuller, figure 2. As far as the appellant's remarks concerning Bates are related to the limitation at hand ("determining an inaccessibility of the subscriber announcement"), the appellant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Concerning the appellant's arguments on pages 12-14 that Bates does not disclose the unavailability of the subscriber announcement, it is noted that the claim states "determining an inaccessibility of the subscriber announcement" and it is also noted that the rejection of claim 1

Art Unit: 2152

is based on a combination of references. Concerning the discussion of “unavailability” it is maintained that Bates teaches as much, which has been acquiesced to by the appellant who amended the claims to replace “unavailability” with “inaccessibility” in order to avoid the rejection. See the Interview Summary filed 11/21/2005 and the appellant’s remarks filed 11/15/2005. Again, the limitation at hand states “determining an inaccessibility of the subscriber announcement” and Kruesi was cited as to a teaching of determining an inaccessibility of a voice file. Thus, the appellant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Concerning the appellant’s arguments on pages 14-15 that Fuller does not disclose retrieving a default announcement based on the determined inaccessibility of the subscriber announcement, it is unclear why the appellant would argue this when Kruesi was cited as relating to determining an inaccessibility. Again the appellant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Concerning the appellant’s arguments on pages 15-17 that Kruesi does not disclose determining an inaccessibility, it is maintained that Kruesi does disclose determining an inaccessibility and that in combination the references teach the limitation of “determining an

inaccessibility of the subscriber announcement.” Kruesi’s system clearly determines an inaccessibility of a voice file at a certain node. The subscriber announcement as claimed, and as represented by Bates’ greeting, most certainly constitutes a voice file. Thus, one of ordinary skill given the teaching of Kruesi to determine an inaccessibility of a voice file, would be able to determine an inaccessibility of an announcement or greeting (which is a voice file). Although Kruesi states accessing the file at an alternate node, he still meets the claim limitation because the file is inaccessible (a determined inaccessibility) at the first node. The claim states “determining an inaccessibility” and this can reasonably be read in relation to one node, as there is one server or such system in the claim that is attempting access. The claim does not require that the file is inaccessible at all nodes in a network. Clearly, Kruesi’s system determines an inaccessibility, as when a first node fails, the file is inaccessible at that node.

The appellant goes on to argue in detail that Kruesi’s voice file is always accessible, but again it is noted that Kruesi teaches determining an inaccessibility of the file from a node when that node fails. The appellant also argues that the subscriber announcement that is determined inaccessible is stored on the messaging server. Here, it is noted that just because the announcement is stored on a messaging server does not imply that any determination is made about the operation of the server itself. The claim states determining an inaccessibility of the subscriber announcement, i.e. it is the announcement that is inaccessible and not the server. Therefore, Kruesi’s teachings that other nodes may still access the file do not contradict the application of Kruesi’s teachings to the limitation at hand as Kruesi still teaches determining an inaccessibility of a file from a node.

- <Argument 2>

There is no motivation to combine the teachings of Bates, Fuller, and Kruesi.

In response to argument 2 (set forth on pages 17-18 of the brief under heading “A2”), it is maintained that there exists motivation to combine the teachings of Bates, Fuller, and Kruesi. As stated in the rejection above, the combination satisfies the need for improved file availability in a messaging system. See Kruesi, column 3, lines 1-11. It is maintained that this is sufficient motivation to combine the references. Concerning the statement that it is improper to use that which the inventor taught against its teacher, it is noted that the cited motivation is clearly taught by Kruesi. One of ordinary skill in the art would clearly be motivated to combine the teachings at hand in order to improve file availability as this is a well known need in messaging systems and other networks. Also, one of ordinary skill would understand that determining the inaccessibility of a voice file as taught by Kruesi is one way of improving file availability in a messaging system, as files cannot be made more available in the system unless it is known where and when they are accessible.

Concerning the statements that Kruesi’s voice file is always accessible, see the discussion at the end of the response to argument 1 above. The appellant goes on to argue that Kruesi does not disclose certain limitations of claim 1 because his system uses different servers to access the same data from the same storage location. However, it is not seen how this is related to the motivation to combine the references. Further, the rejection of claim 1 is based on a combination

Art Unit: 2152

of references. The appellant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

- <Argument 3>

The combination of Bates, Fuller, and Kruesi does not disclose the features of independent claim 1 and like independent claims because it does not disclose “retrieving from the directory server an audible subscriber identifier” as recited in claim 1.

In response to argument 3 (set forth on pages 18-24 of the brief under heading “A3”), the combination of Bates, Fuller, and Kruesi does disclose retrieving from the directory server an audible subscriber identifier as recited in claim 1. The previous line citation to Fuller, column 25, line 63 through column 26, line 2, clearly states retrieval of a drop-in name (i.e. audible subscriber identifier). The appellant goes on to argue in detail that the hypothetical combination of Bates, Fuller, and Kruesi does not teach storing the subscriber announcement and the audible subscriber identifier on distinct devices. However, it can be seen that Bates’ voice messaging system (figure 1, item 10) effectuates message processing and can be considered a messaging server, while it can be seen that Fuller’s disk 505 stores subscriber records and can be considered a directory server separate from message processing functionality. The appellant’s supposed combination which places Fuller’s disk inside Bates’ disk is unnecessary in combining the teachings of Bates and Fuller. (This will be discussed in more detail below.) A call processing

Art Unit: 2152

system can be made up of a plurality of servers and other processing systems and one of ordinary skill in the art need not attempt to utilize only one device. Nor would one of ordinary skill in the art have been motivated to attempt to utilize only one device. For example, see Fuller's telephone control system (figure 2, item 1) which maintains a plurality of servers or other processing devices in order to effectuate messaging services. Further, if one were to make the combination as supposed by the appellant, the supposed new VMS device would still meet the limitations of claim. (This will also be discussed in more detail below.)

First, turning attention to the appellant's supposed combination of the references, it is maintained that one of ordinary skill in the art would not have combined the references as presented. The appellant states that because Bates teaches a disk memory 30 that stores greeting announcements for a subscriber and because Fuller teaches a disk 505 which stores prerecorded drop-in names, then one of ordinary skill would combine these disks into one when combining the references. However, this logic is flawed. The normal thing for one of ordinary skill in the art to do when storing different types of data in a system is to store the different types in different places. This is not only well known, but also supported by the references at hand. It can be seen in Bates (figure 1) that the greetings may be stored in disk memory 30, but that other different types of related data are stored elsewhere, such as the subscriber profiles and caller ID pre-recorded greeting designations. Also, as discussed above, Fuller's system utilizes multiple facilities that all communicate and share information with each other in order to complete the appropriate call processing. See Fuller, figure 2. Therefore, it is contended that one of ordinary skill in the art combining the teachings of Bates and Fuller would have known how to store

Art Unit: 2152

different types of information in different places and would have done this in accordance with normal practice.

The assertion that Fuller's drop-in names would have to have been added inside Bates' disk memory 30 is nonsensical and unsupported by what is well known in the art. The appellant is reminded that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

The appellant goes on to discuss the combination of the references with the Kruesi reference. However, since Kruesi was only cited as teaching "determining an inaccessibility" as discussed above in the response to argument 1, the discussion of Kruesi in relation to storage on distinct devices is considered moot.

Now, turning attention to the situation in which it is assumed that the appellant's supposed combination is made, it is maintained that the combination still meets the limitations of claim 1. Claim 1 only requires that the subscriber announcement be stored in some storage location referred to as a messaging server and that the audible subscriber identifier be stored in some storage location referred to as a directory server. It is well known that two different types of servers or two different types of storage such as these often coexist as two different modules

Art Unit: 2152

in one processing system or in one distinct device. Thus, since the claim does not state that the messaging server and the directory server need to be operating at different physical locations across the network from each other, the appellant's supposed combination of the references in which the two different types of storage areas exist on the same system or device still meets the limitations of the claim.

This is an important point because the appellant has argued continuously throughout that "the claims address the problem of providing a fault-tolerant messaging system" (see, for example, page 11 of the brief). Apparently the main concern of the present invention is to address the problems that may occur with "a messaging server that is rendered inoperable" (see, for example, the note at the bottom of page 14 of the brief). However, it is stressed that claims in no way set forth any limitations that state that the messaging server is rendered inoperable. The claims only state "determining an inaccessibility of the subscriber announcement", meaning that the inaccessibility of the announcement is what is determined and there is no determination made as to the operability of the messaging server itself. Considering the appellant's supposed combination of the references in which the messaging server and the directory server may be present on the same device, the combination still teaches the present invention as claimed because the audible subscriber identifier is retrieved from the directory server *based on the determined inaccessibility of the subscriber announcement* and not based on any type of determination of the operability of the messaging server or its corresponding device.


For the above reasons, it is believed that the rejections should be sustained.

Art Unit: 2152

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

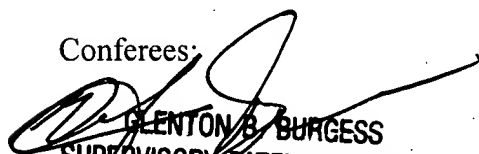
Respectfully submitted,



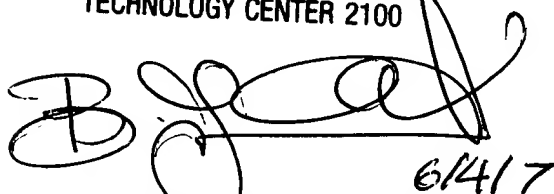
Victor Lesniewski
Patent Examiner
Group Art Unit 2152

Dated: May 25, 2007

Conferees:



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



6/4/7
BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

Index of Claims



Application No.

09/820,884

Examiner

Victor Lesniewski

Applicant(s)

RAVISHANKAR ET AL.

Art Unit

2152

✓	Rejected
=	Allowed

—	(Through numeral) Cancelled
+	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date				
Final	Original					
1	✓	3/19/5	✓	✓	✓	✓
2	✓	8/25/5	✓	✓	✓	✓
3	✓	2/1/6	✓	✓	✓	✓
4	✓	7/12/6	✓	✓	✓	✓
5	✓	5/25/7	✓	✓	✓	✓
6	✓		✓	✓	✓	✓
7	✓		✓	✓	✓	✓
8	✓		✓	✓	✓	✓
9	✓		✓	✓	✓	✓
10	✓		✓	✓	✓	✓
11	✓		✓	✓	✓	✓
12	✓		✓	✓	✓	✓
13	✓		✓	✓	✓	✓
14	✓		✓	✓	✓	✓
15	✓		✓	✓	✓	✓
16	✓		✓	✓	✓	✓
17	✓		✓	✓	✓	✓
18	✓		✓	✓	✓	✓
19	✓		✓	✓	✓	✓
20	✓		✓	✓	✓	✓
21	✓		✓	✓	✓	✓
22	✓		✓	✓	✓	✓
23	✓		✓	✓	✓	✓
24	✓		✓	✓	✓	✓
25	✓		✓	✓	✓	✓
26	✓		✓	✓	✓	✓
27	✓		✓	✓	✓	✓
28	✓		✓	✓	✓	✓
29	✓		✓	✓	✓	✓
30	✓		✓	✓	✓	✓
31	✓		✓	✓	✓	✓
32	✓		✓	✓	✓	✓
33	✓		✓	✓	✓	✓
34	✓		✓	✓	✓	✓
35	✓		✓	✓	✓	✓
36	✓		✓	✓	✓	✓
37	✓		✓	✓	✓	✓
38	✓		✓	✓	✓	✓
39	✓		✓	✓	✓	✓
40	✓		✓	✓	✓	✓
41			✓	✓	✓	✓
42			✓	✓	✓	✓
43			✓	✓	✓	✓
44						
45						
46						
47						
48						
49						
50						

Claim		Date				
Final	Original					
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
66						
67						
68						
69						
70						
71						
72						
73						
74						
75						
76						
77						
78						
79						
80						
81						
82						
83						
84						
85						
86						
87						
88						
89						
90						
91						
92						
93						
94						
95						
96						
97						
98						
99						
100						

Claim		Date				
Final	Original					
101						
102						
103						
104						
105						
106						
107						
108						
109						
110						
111						
112						
113						
114						
115						
116						
117						
118						
119						
120						
121						
122						
123						
124						
125						
126						
127						
128						
129						
130						
131						
132						
133						
134						
135						
136						
137						
138						
139						
140						
141						
142						
143						
144						
145						
146						
147						
148						
149						
150						